

### **302 KAR 20:220. Pseudorabies: eradication and control.**

RELATES TO: KRS 246.210, 257.050, 257.080, 257.110-257.170, 257.480

STATUTORY AUTHORITY: KRS 257.020, 257.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 257.020(3) requires the board to prevent, control, and eradicate any communicable disease of livestock. KRS 257.030(4) authorizes the board to promulgate administrative regulations necessary to administer any provision of KRS Chapter 257. This administrative regulation establishes procedures for approving a pseudorabies herd cleanup plan and to eradicate pseudorabies from a porcine herd or animal upon a determination of infection or exposure to pseudorabies.

Section 1. Definitions. (1) "Breeding swine" means male or female porcines which are sexually intact, six (6) months of age or older, and specifically used or intended to be used for reproduction.

(2) "Circle testing" means serological sampling of swine required by an official pseudorabies epidemiologist in herds that are within one and one-half (1.5) miles of an infected herd.

(3) "Depopulation" means a procedure that clears the premises of all swine.

(4) "Exposed swine" means any swine that has been in contact with an animal infected with pseudorabies. This includes all swine in an infected herd.

(5) "Herd" means all porcine animals maintained for any purpose on common grounds, under common ownership or supervision, including animals which may be geographically segregated, and have exchange or movement of animals without regard to health status.

(6) "Indemnity" means monies paid to the owner by state or federal agencies in addition to the salvage value of the swine.

(7) "Infected herd" means a herd in which swine have been determined, by an official pseudorabies epidemiologist or state veterinarian, to be infected with pseudorabies.

(8) "Mandatory depopulation" means the required removal of all swine from a premises where an official herd cleanup plan was not developed, followed, or was ineffective in the elimination of pseudorabies.

(9) "Official depopulation plan" means a depopulation plan for a herd with an infection rate of more than ten (10) percent and where indemnity is paid on all breeding swine in the herd.

(10) "Official herd cleanup plan" means a plan developed by an official pseudorabies epidemiologist in consultation with the herd owner and his veterinary practitioner and approved by the state veterinarian, for the purpose of eliminating pseudorabies from the herd.

(11) "Official pseudorabies epidemiologist" means a state or federal employed veterinarian, designated by the state veterinarian and the federal veterinarian in charge, to investigate, diagnose, and make recommendations concerning suspected pseudorabies in swine.

(12) "Official pseudorabies test" means any serological test, approved by the state veterinarian for the diagnosis of pseudorabies, which is licensed or approved by the United States Department of Agriculture pursuant to 9 CFR 52.1.

(13) "Official random sample test" means a group sampling of swine utilizing serological tests which provide a ninety-five (95) percent probability of detecting pseudorabies in a segregated group of swine when at least ten (10) percent of the animals tested are seropositive for pseudorabies.

(14) "Positive animal" means an animal which has given a positive reaction to an official test for the detection of pseudorabies, and is so classified by an official epidemiologist, or if the pseudorabies virus has been found in the body of an animal or in the body discharge of an animal.

(15) "Pseudorabies" means a communicable, contagious, and infectious disease caused by a herpes virus affecting livestock and other animals.

(16) "Pseudorabies monitored feeder pig herd" means a swine breeding herd that has tested negative to an official pseudorabies serologic test during the last twelve (12) months, pursuant to

Section 2 of this administrative regulation.

(17) "Pseudorabies vaccine" means a pseudorabies vaccine licensed by the United States Department of Agriculture pursuant to 21 USC 151 et seq. and 9 CFR 85.1.

(18) "Qualified pseudorabies negative herd" means a swine herd that is free of pseudorabies and maintains a pseudorabies free status as determined by periodic testing of breeding swine.

(19) "Salvage value" means the carcass worth of an animal.

(20) "Test and slaughter" means a herd plan where animals are tested and, if test positive, are removed from the herd to slaughter within thirty (30) days of classification.

(21) "Voluntary depopulation plan" means a depopulation plan chosen by the herd owner, for a herd with an infection rate of less than ten (10) percent and where indemnity is paid only for sero-positive breeding swine.

Section 2. Testing Requirements for a Swine Breeding Herd to Qualify as a Pseudorabies Monitored Feeder Pig Herd. (1) To qualify as a pseudorabies monitored feeder pig herd the following testing requirements shall apply:

(a) If the size of the swine breeding herd is ten (10) animals or less, all animals shall be tested;

(b) If the size of the swine breeding herd is eleven (11) to thirty-five (35) animals, ten (10) animals shall be tested; and

(c) If the size of the swine breeding herd is thirty-six (36) or more animals, thirty (30) percent or thirty (30) animals, whichever is less, shall be tested.

(2) Tested breeding swine shall be selected at random from all age groups and shall include herd boars.

(3) All animal groups to be tested shall be proportionately represented.

(4) A pseudorabies monitored feeder pig herd may also be classified as a swine breeding herd not known to be infected in a Stage III or Stage IV state or area.

Section 3. Procedures. (1) The owner of an infected herd shall apply to the state veterinarian for approval of an official herd cleanup plan within thirty (30) days of notification that his herd is classified as an infected herd.

(2) An official herd cleanup plan may include test and slaughter, depopulation, offspring segregation, with or without vaccination, or a combination of those approved procedures, and shall provide as follows:

(a) Within ninety (90) days from the date of notification of classification as an infected herd, the owner shall implement an approved herd cleanup plan.

(b) The owner of the herd shall cooperate with the department in conducting the necessary testing, classification, and supervision of the herd.

(c) Animals within the herd shall be removed to slaughter, depopulated, offspring segregation, with or without vaccination, or a combination of those approved procedures under the supervision of the state veterinarian and as outlined in the official herd cleanup plan.

(d) Pseudorabies vaccine shall be used only with approval of the state veterinarian.

(3) If official depopulation is the approved herd cleanup plan, the plan shall:

(a) Be recommended by an official epidemiologist, approved by the state veterinarian and agreed to by the herd owner; and

(b) Require the premises to be cleared of breeding swine within two (2) months of the date of approval and cleared of all swine within eight (8) months of the plan approval date.

(4) If test and slaughter is the approved herd cleanup plan, additional tests shall be performed until all positive animals in the herd are identified and slaughtered.

(5) The official herd cleanup plan shall provide for the completion of all requirements set out in the cleanup plan within twenty-four (24) months of the plan approval date. Except, the state veterinarian

may approve additional time, not to exceed ninety (90) days, for completion of all requirements set out in the plan.

(6) The herd cleanup plan may be changed or amended if approved by the official pseudorabies epidemiologist and the state veterinarian.

(7) If the owner of a pseudorabies infected herd does not develop an official herd cleanup plan, if the state veterinarian determines that the official herd cleanup plan has not or will not effectively eliminate pseudorabies from a swine herd, or if that approval or continuation of the official herd cleanup plan is unlikely to effectively eliminate pseudorabies from the herd, the board or its authorized agents shall order depopulation as provided by KRS 257.110. The following procedures shall apply:

(a) Notification to the owner of the order of depopulation shall be hand-delivered to the owner or mailed to the owner's business address by certified mail. This notification shall include test results and other appropriate documentation supporting the depopulation order.

(b) The owner shall have fifteen (15) days from receipt of notification of the depopulation order to appeal the order by written request to the state veterinarian stating that he disagrees with the order. If no appeal is received within the fifteen (15) day time period, the order of depopulation shall be executed.

(c) The owner may submit written arguments or may request a conference with the state pseudorabies epidemiologist and the state veterinarian within fifteen (15) days of the written request appealing the order.

(d) The owner shall be notified by certified mail within seven (7) days of receipt of written arguments or following the conference date of the state veterinarian's final ruling of the appeal.

(e) If mandatory depopulation is ordered, all breeding swine shall be removed from premises for slaughter within two (2) months and all other swine shall be removed from premises within eight (8) months of owner's receipt of the depopulation order.

(f) The premises shall meet quarantine release as required in Section 7 of this administrative regulation.

Section 4. Pseudorabies Program Testing. (1) Within thirty (30) days of the department's request for testing, the owner of the swine shall submit his swine for required testing and provide the department with the necessary facilities and assistance required for conducting testing.

(2) Pseudorabies testing shall be in addition to the testing requirements set out in 302 KAR 20:210 and may include random sample testing or complete herd testing as determined by the state veterinarian.

(3) An official random sample test shall include all animals in a segregated unit or a minimum of thirty (30) animals, whichever is less.

(4) Expenses incurred in collection of blood samples of infected herds, circle testing, slaughter traces, and epidemiological tracings may be paid or reimbursed, if funds are available, in an amount specified and approved by the state veterinarian pursuant to 302 KAR 20:230.

(5) Expenses incurred in serological testing may be paid by state-federal funds if samples are submitted to the University of Kentucky Animal Diagnostic Laboratory, Breathitt Veterinary Center, or a state-federal laboratory designated by 9 CFR 85.1, footnote 5.

(6) Contract for fee basis. The state veterinarian may provide reimbursement for payment of the expenses authorized in this administrative regulation by a fee-basis contract or agreement with a veterinary practitioner accredited and licensed in Kentucky.

Section 5. Movement of Qualified and Monitored Swine. (1) Testing shall be the responsibility of the seller. All breeding swine in Kentucky offered for sale to a Kentucky producer shall be negative to an official test within thirty (30) days prior to the date of change of ownership, or shall originate di-

rectly from a qualified pseudorabies negative herd.

(2) Feeder pigs from qualified pseudorabies negative herds with a valid Certified Feeder Pig Producer Card (CFPP), or herds with a valid Pseudorabies Surveillance Card (PS) may be moved without individual identification from an originating Kentucky farm to another Kentucky farm for purposes of feeding for slaughter if all feeder pigs on the recipient farm are from the same originating herd. Approval of the State Veterinarian and compliance with requirements of 302 KAR 20:210 shall be required before swine may be moved.

(3) Swine originating from a state which qualifies for Stage IV or V under the national program standards may enter Kentucky without a test unless a test prior to entry for exhibition or sale is required by the state veterinarian because there has been a break in Stage IV or Stage V status or there has been an exposure to pseudorabies.

Section 6. Indemnity. (1) State indemnity funds, if available, shall be paid in the following amounts for swine sent directly to slaughter:

(a) Twenty-five (25) dollars per head for all seropositive breeding swine if test and slaughter, voluntary depopulation, or a herd plan other than official depopulation or mandatory depopulation is the herd cleanup plan.

(b) Fifty (50) dollars per head for all breeding swine if official depopulation is the official herd cleanup plan.

(2) In order to be eligible for indemnity, pursuant to KRS 257.120(3), swine shall have been in Kentucky for six (6) months prior to the first test determining pseudorabies infection within a herd.

(3) In order to be eligible for state indemnity funds, pursuant to Section 3 of this administrative regulation, a written depopulation agreement shall be signed by the owner seeking state indemnity. Authorization for depopulation and for the payment of indemnity shall be approved by the state veterinarian. The amount of indemnity shall be stated prior to signing the agreement.

(4) The refusal of the state veterinarian to approve payment of state indemnity funds for any reason set out in KRS 257.120(4) shall not restrict or otherwise limit the state veterinarian's authority to order slaughter or depopulation of infected or exposed porcine animals.

Section 7. Quarantine Release. (1) Infected herds and premises shall be released from quarantine when:

(a) The herd has been depopulated for at least thirty (30) days and the premises cleaned and disinfected. If the premises is repopulated, the herd shall have a negative test thirty (30) to sixty (60) days after repopulation.

(b) If test and slaughter was the official herd cleanup plan, the herd shall have two (2) negative tests. The first test shall be no less than thirty (30) days after the last positive animal has been sold to slaughter. The second test shall be more than sixty (60) days after the last positive animal is sold for slaughter. The second test shall include all breeding swine; all other swine on the premises shall be randomly sampled.

(2) Other quarantined herds shall not be released until after a negative test, as directed by the official pseudorabies epidemiologist, and quarantine release approved by the state veterinarian. (17 Ky.R. 2087; eff. 2-7-91; Am. 21 Ky.R. 1937; 2497; eff. 4-6-95; 28 Ky.R. 2433; 29 Ky.R. 103; eff. 7-15-2002.)